

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JAVIER GOMEZ,

Petitioner,

vs.

T. R. CRAIG, Warden, Federal
Correctional Institute, Ray Brook,

Respondent.

No. 9:06-cv-00416-JKS

ORDER DISMISSING PETITION

Petitioner, Javier Gomez, a federal prisoner appearing *pro se*, while held under federal sentence at the Ray Brook Federal Correctional Institute, petitioned for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. The response filed indicated that the projected release date for Gomez was September 26, 2007, and his full term release date was January 21, 2008. Docket 8. On June 7, 2007, Gomez filed a notice of change of address to Newark, New Jersey (Docket No. 10) and on August 28, 2007, a second notice of change of address to MDC Brooklyn, N.Y. (Docket No. 11). On May 1, 2008, mail sent by the Clerk of the Court to the MDC Brooklyn address was returned as undeliverable. Docket No. 13. Accordingly, it appearing that the matter is now moot,

IT IS THEREFORE ORDERED THAT the Petition Under 28 U.S.C. § 2241 for Writ of Habeas Corpus is **DISMISSED**, without prejudice.

This order constitutes the final judgment of the Court under Rule 58, Federal Rules of Civil Procedure.

Dated: July 15, 2008.

s/ James K. Singleton, Jr.
JAMES K. SINGLETON, JR.
United States District Judge